

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CITY OF GREENVILLE, ILLINOIS et al., individually)
and on behalf of all others similarly situated,)

Plaintiffs,)

v.)

Case No. 3:10-cv-188-JPG

SYNGENTA CROP PROTECTION, LLC f/n/a)
SYNGENTA CROP PROTECTION, INC., and)
SYNGENTA AG,)

Defendants.)

DEFENDANT SYNGENTA CROP PROTECTION, LLC'S
MOTION FOR SUMMARY JUDGMENT ON THE CLAIMS OF
PLAINTIFF CITY OF MARION, KANSAS

COMES NOW Defendant Syngenta Crop Protection, LLC (“Syngenta”) pursuant to Federal Rules of Civil Procedure 56(a) and moves this Honorable Court for summary judgment on Plaintiff City of Marion, KS’s (“Marion”) products liability putative class action seeking Defendant Syngenta to bear the costs of removing atrazine from the public drinking water.

As set forth more fully in the accompanying Memorandum in Support of this Motion, as a matter of law Marion lacks standing to assert its claims because there is no specific, imminent threat of atrazine in its water supply in excess of the maximum contaminant level of 3 parts per billion.

WHEREFORE, Syngenta prays that this Honorable Court dismiss all of Plaintiff
Marion's claims.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system, this 30th day of November, 2011 to:

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with a copy sent via United States mail, properly addressed and postage paid, upon the following counsel:

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